P.R. No. S 88/06
Presented by Shri Bashakar Pandey
dated 2/2/06

SINGLE BENCH

(1)

(B)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. NO. 593 OF 2006

PETITIONER : Shivlal Patra, S/o Late Shri Biharilal Patra, Aged about 31 years, R/o Village Munjhar, Tahsil Devbhog District Raipur (C.G.)

VERSUS

RESPONDENTS :
1. State of Chhattisgarh, Through: the Secretary Education Deparetment, D.K.S. Bhawan Raipur (C.G.)
2. District Education Officer, District Raipur (C.G.)
3. Block Education Officer, Devbhog District Raipur (C.G.)

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2.2.06
CLERK TO A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS OR APPROPRIATATE ORDER/DIRECTION ETC.

XI-HC-22

(21)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 593/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

6-2-2006

Shri Bhaskar Payashi, counsel for the petitioner.

Shri A.S. Kachhawaha, Dy. Govt. Advocate for the State.

It is noted that the Vakalatnama filed by the petitioner does not contain the complete details. Learned counsel for the petitioner submits that he may be permitted to correct the same by mentioning the complete details as per the requirement. Let he may do so.

Heard.

Learned counsel for the petitioner submits that the petitioner's father, who was working as Assistant Teacher in Government School, Bandi Gaon, Devbhog, District Raipur, died during service period on 2-3-2000 and thereafter the petitioner applied for compassionate appointment which was denied. It is further submitted that in batch of cases bearing W.P. No.1322/2002 involving the same question orders have been passed by this Court on 20/12/2005. He prays that similar orders may be passed in this case also.

Learned counsel for the State does not dispute the above fact and states that the State of Chhattisgarh has taken a decision to consider the cases of dependants of those employees who died on or after 1/11/1997 strictly in accordance with the policy prevalent at that time.

In view of the submissions made by learned counsel appearing for the parties, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will

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XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 593/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

be served if a direction is given to the State of Chhattisgarh and the authorities concerned to consider and decide the case of the petitioner in accordance with the policy prevalent at the time of death of his father. If the petitioner found eligible, appointment orders will be issued as early as possible preferably within a period of four months. The petitioner is also directed to render due co-operation to the authorities. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law including filing of the petition before this Court.

With the aforesaid observations, this petition stands disposed of.

Consequently, I.A.No.1543/2006 also stands disposed of.

Certified copy as per rules after correcting the Vakalatnama.

Copy to the State counsel, who will be obliged to communicate the order to the respondents for compliance.

Sd/-
Fakhruddin
Judge

Gowri

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